

1 A Yes, sir.

2 Q Are we certain that 56 was the beginning?

3 MR. BAKER: Fifty.

4 MR. SHOCKLEY: Okay. Can we go back to the
5 actual beginning?

6 BY MR. SHOCKLEY:

7 Q Okay. The beginning was 15:56:50. Then we stopped --
8 the sound started about 30 seconds later, would you agree?

9 A Yes, sir.

10 Q Okay. When you were out there involved -- question
11 withdrawn.

12 When you say you wrote your initial report on the side
13 of the road to deal with lots of other things, were you
14 consciously aware and thinking of at that time that the
15 video that you captured would capture the previous 30
16 seconds to when you put your blue lights on?

17 A I knew it captured time prior, but I didn't have any
18 idea how far it went back.

19 Q Okay. I want to focus a little bit about your
20 relationship with the 17th Judicial District Drug Task
21 Force and its relationship to the rest of government.

22 It's correct, is it not, that there is a pass-through
23 federal grant which comes to the state of Tennessee, and
24 that passes through to fund these regional task forces like
25 the 17th, correct?

1 A Yes, sir. I believe the name of the grant is Byrne.
2 B-Y-R-N-E.

3 Q Edward Byrne memorial grant, you are correct. And
4 that that grant, by its terms, requires that the state
5 provide 25 percent of the funding. It's not just a gift
6 from the government. The state has to provide 25 percent?

7 A Now, let me, if I could, back up just one second.

8 Q Please go ahead.

9 A I think that percentage varies because the money has
10 been chopped and reallocated. Some years they get a certain
11 amount, some years they get another amount, depending on how
12 the federal budget is.

13 But my particular position was a two-year position,
14 and it was a separate grant from the Byrne memorial grant
15 that I was directly hired under.

16 Q Okay. But to get back to the question as I posed it,
17 are you aware that there is a requirement coming through the
18 grant that the state provide 25 percent of its own money
19 along with the federal money for each budgetary year?

20 A Yes, there is a matching, yes, sir.

21 Q Okay. And isn't it correct that the 17th Judicial
22 District Drug Task Force is self funding?

23 A Yes, sir.

24 Q Okay. So that, in effect, you and every other officer
25 working for a judicial district drug task force have more of

1 a personal stake in making a drug seizure in an arrest than
2 the average police officer who works for a municipality or a
3 county?

4 A I would disagree with that simply from the standpoint
5 of if those agencies or those specialized units, if they
6 don't produce, you know, most of the time they are disband
7 as well.

8 So as with any specialized unit, you have got to
9 produce, and usually it's based on numbers, whatever your
10 you unit specializes in.

11 Q But I may have misstated the question. Nobody is
12 going to disband the Nashville Police Department. Okay? We
13 can agree on that?

14 A Yes, sir.

15 Q And they have to go -- each year the police chief
16 looks over and talks to the council, and there's a budget,
17 and they deal with the mayor and there's a certain amount of
18 money allotted for the police force for a year?

19 A Yes, sir.

20 Q That's not how you operate. Somebody is lobbying in
21 Washington trying to get as much grant money as they can in
22 general for the state of Tennessee out of this pie, but the
23 rest of the funding that comes is dependent upon your making
24 arrests and seizures because you grab the car, you grab any
25 cash in the car; the contraband, of course, goes. And you

1 sell those items and retain those items, and they become
2 part of your funding. Fair statement?

3 A Yes, sir, that's correct.

4 Q Is it a fair statement that part of the reason that
5 you were up by the Kentucky border at least 100 miles away
6 from your four counties was the fact that it's better
7 hunting grounds up there?

8 A Yes and no. You do have better -- they come south
9 from the northern states, and they have the opportunity to
10 hit I-40 and go west or they can hit I-24 and go to Atlanta,
11 which are major source areas.

12 But criminal interdiction as a whole when you are
13 looking for anybody involved in criminal activity, it really
14 doesn't matter what interstate you are on because all
15 criminals use the interstates.

16 Now, our area, you know, the drug seizures probably
17 are not as high as they are in Robertson County if you go to
18 65 or Marshall County simply because of geography.

19 Q Is it fair to say that part of your job becomes
20 competitive?

21 A No, sir, I wouldn't agree with that. I don't think
22 I'm trying to compete with anybody.

23 Q You have received any number of awards?

24 A Yes, sir.

25 Q You have been elected to esteemed positions?

1 A Yes, sir.

2 Q Those didn't come about because you sat on your duff
3 in an office, did they?

4 A No, sir.

5 Q In part, they came because you are very successful at
6 seizing drugs in these interdiction efforts?

7 A But on some of those same positions, especially within
8 the organizations, you have got people that haven't made any
9 seizures, or very little, or, you know, I would attribute
10 that more to the drive to be successful in other things, the
11 organizations or whatever you are being a part of. It's not
12 based on your stats.

13 Q Okay. In 2008 you were you runnerup for interdiction
14 officer of the year, were you not?

15 A For the nation, yes, sir.

16 Q And what were the criteria that were used in that?

17 A All the stats for -- it wasn't just drugs. It was
18 money and fugitives, and all the seizures that you had, they
19 compiled those and came up with, I guess, whoever was the
20 best.

21 Q But it was a numerical measure of your productivity,
22 was it not?

23 A That particular one, yes, sir. Within TNOA, no, it
24 goes more based on that individual person compared to the
25 area they are in. But, yes, sir, that one you were